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~~Submitted for Printing under Clause 8 of
Rule XVIII~~

~~AMENDMENT TO H.R. 889~~**OFFERED BY: MR. MARKEY OF ~~MASSACHUSETTS~~**

In subtitle A of title IV, add at the end the following

new section:

AMENDMENT NO. 6

1 SEC. ____ SECURITY AND SAFETY REVIEW OF LIQUEFIED
2 NATURAL GAS FACILITIES.

3 (a) SECURITY AND SAFETY REVIEW.—The Com-
4 mandant of the Coast Guard shall conduct a comprehen-
5 sive security and safety review of the proposed construc-
6 tion, expansion, or operation of a waterfront facility for
7 the transfer of liquefied natural gas from ships to land
8 or from land to ships, including proposed shipping routes
9 to or from the facility.

10 (b) PREPARATION OF REPORT.—Upon completion of
11 a review under subsection (a), the Commandant of the
12 Coast Guard shall prepare a report setting forth the re-
13 sults of the review and including any recommendations for
14 measures that the Commandant believes are necessary to
15 ensure the public safety and security of the proposed facil-
16 ity and the transportation routes to and from the facility,
17 or to mitigate any potential adverse consequences.

18 (c) RESULTS OF REVIEW.—The Commandant of the
19 Coast Guard shall provide to each Federal agency respon-



1 sible for licensing, approval, or other authorization for the
2 relevant construction, expansion, or operation, and to Con-
3 gress, a report prepared under subsection (c), and shall
4 also provide the information in such report, to the extent
5 consistent with the protection of public safety and secu-
6 rity, to affected State and local officials and the public.

7 (d) REPORTS TO CONGRESS.—

8 (1) SUMMARY OF ACTIONS TAKEN.—Not later
9 than 6 months after a report is provided under sub-
10 section (d), the Commandant shall transmit a report
11 to Congress summarizing any action taken by the fa-
12 cility owner or by any appropriate Federal or State
13 agency in response to the Commandant's rec-
14 ommendations contained in such report. If no action
15 has been taken to implement such a recommenda-
16 tion, the Commandant shall report on the reasons
17 why no action has been taken, and shall include
18 views on the failure to take the recommended ac-
19 tions.

20 (2) IMPLEMENTATION STATUS REPORT.—The
21 Commandant shall transmit an additional implemen-
22 tation status report to Congress every 6 months
23 until all of the recommendations contained in the
24 Commandant's report prepared under subsection (c)
25 have been implemented, or the Commandant con-



1 cludes that implementation is no longer necessary
2 and provides an explanation of the reasons for this
3 determination.

4 (e) REQUIREMENT FOR APPROVAL OF CONSTRUC-
5 TION OR EXPANSION OF URBAN LIQUEFIED NATURAL
6 GAS FACILITIES.—

7 (1) REQUIREMENT.—No person may construct
8 or expand any urban waterfront facility for the
9 transfer of liquefied natural gas from ships to land
10 or from land to ships unless the Commandant of the
11 Coast Guard has approved such construction or ex-
12 pansion. The Commandant shall not approve any
13 such construction or expansion if, as a result of the
14 review conducted pursuant to subsection (a), the
15 Commandant determines that the proposed facility,
16 or the expansion of the existing facility, would pose
17 a substantial risk to public safety and security in
18 light of the potential loss of life and damage to prop-
19 erty that could result.

20 (2) CIVIL PENALTY.—Any person who violates
21 paragraph (1) shall be liable for a civil penalty in an
22 amount not to exceed \$1,000,000 for each day of
23 such violation.

24 (3) SAVINGS CLAUSE.—Except as provided in
25 paragraph (1), approval under this subsection shall



1 not affect any other requirement under law to obtain
2 a license, approval, or other authorization for the
3 construction, expansion, or operation of an offshore
4 or waterfront facility for the transfer of liquefied
5 natural gas from ships to land or from land to ships.

